

**CONFERENCE COMMITTEE REPORT
DIGEST FOR EHB 1171**

Citations Affected: IC 9-25-7-1; IC 9-25-8-2; IC 9-26-1-2; IC 9-26-2-1; IC 9-26-2-4.

Synopsis: Motor vehicle financial responsibility and accident reports. Provides that person who operates a motor vehicle without proof of financial responsibility commits a Class C misdemeanor if the person has a prior unrelated judgment. Requires the court to suspend the person's driving privileges for one year if the person had a prior unrelated judgment within the five years preceding the violation. Increases the threshold apparent amount of damage to property caused by an accident for which a report must be filed to \$1,000 and makes corresponding changes to related statutes. **(This conference committee report adds language specifying that a prior conviction must have occurred within the five years preceding the current offense for a mandatory suspension of a person's driving privileges to occur.)**

Effective: July 1, 2003.

Adopted

Rejected

CONFERENCE COMMITTEE REPORT

MR. SPEAKER:

Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill No. 1171 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 9-25-7-1 IS AMENDED TO READ AS FOLLOWS
- 3 [EFFECTIVE JULY 1, 2003]: Sec. 1. The bureau may not revoke the
- 4 driving license or registration plates of the owner or operator of a motor
- 5 vehicle who has been involved in a motor vehicle accident resulting in
- 6 bodily injury or death or in damage to property in excess of ~~seven~~
- 7 ~~hundred fifty one thousand~~ dollars (~~\$750~~) (**\$1,000**) solely because of
- 8 failure to provide evidence of financial responsibility whenever the:
- 9 (1) owner or operator was insured by an insurance company for
- 10 public liability and property damage at the time of the accident;
- 11 and
- 12 (2) insurance company becomes insolvent after the accident or
- 13 within fifteen (15) days before the accident;
- 14 if the insurance company was authorized and qualified to do business
- 15 in Indiana on the effective date of the policy.
- 16 SECTION 2. IC 9-25-8-2 IS AMENDED TO READ AS FOLLOWS
- 17 [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) A person who **knowingly**:
- 18 (1) operates; or
- 19 (2) permits the operation of;

a motor vehicle on a public highway in Indiana commits a Class A infraction unless financial responsibility is in effect with respect to the motor vehicle under IC 9-25-4-4. **However, the offense is a Class C misdemeanor if the person knowingly or intentionally violates this section and has a prior unrelated conviction or judgment under this section.**

(b) Subsection (a)(2) applies to:

- (1) the owner of a rental company that is referred to in IC 9-25-6-3(e)(1); and
- (2) an employer that is referred to in IC 9-25-6-3(e)(2).

(c) In addition to any other penalty imposed on a person for violating this section, the court may recommend the suspension of the person's driving privileges for one (1) year. However, if, within the five (5) years preceding the conviction under this section, the person had a prior unrelated conviction under this section, the court shall recommend the suspension of the person's driving privileges for one (1) year.

(d) Upon receiving the recommendation of the court under subsection (c), the bureau shall suspend the person's driving privileges for the period recommended by the court.

SECTION 3. IC 9-26-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. The driver of a vehicle involved in an accident that does not result in injury or death of a person but that does result in damage to a vehicle that is driven or attended by a person shall do the following:

- (1) Immediately stop the vehicle at the scene of the accident or as close to the accident as possible in a manner that does not obstruct traffic more than is necessary.
- (2) Immediately return to and remain at the scene of the accident until the driver does the following:
 - (A) Gives the driver's name and address and the registration number of the vehicle the driver was driving.
 - (B) Upon request, exhibits the driver's license of the driver to the driver or occupant of or person attending each vehicle involved in the accident.
- (3) If the accident results in total property damage to an apparent extent of at least ~~seven hundred fifty one thousand~~ dollars ~~(\$750)~~, **(\$1,000)**, forward a written report of the accident to the state police department within ten (10) days after the accident.

SECTION 4. IC 9-26-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. A law enforcement officer shall investigate each motor vehicle accident that results in any of the following:

- (1) The injury or death of a person.
- (2) Total property damage to an apparent extent of at least ~~seven hundred fifty one thousand~~ dollars ~~(\$750)~~: **(\$1,000)**.

SECTION 5. IC 9-26-2-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. (a) A law enforcement officer shall enforce IC 9-21 and IC 9-25 against the parties to a motor vehicle accident on private property if the accident:

- (1) occurs on commercial or other private property that is open to

1 the public; and
2 (2) results in:
3 (A) personal injury or death; or
4 (B) property damage to an apparent extent greater than ~~seven~~
5 ~~hundred fifty~~ **one thousand** dollars ~~(\$750): (\$1,000)~~.
6 (b) This section does not affect the power of a local government unit
7 to contract with the owner or lessee of a shopping center or private
8 business property under IC 9-21-18-4.
9 SECTION 6. [EFFECTIVE JULY 1, 2003] **IC 9-25-8-2, as amended**
10 **by this act, applies only to offenses committed after June 30, 2003.**
(Reference is to EHB 1171 as printed April 4, 2003.)

Conference Committee Report
on
Engrossed House Bill 1171

Signed by:

Representative Herrell
Chairperson

Senator Long

Representative Stutzman

Senator Craycraft

House Conferees

Senate Conferees